

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Piero Bugoni,

:

Plaintiff : Civil Action 2:10-cv-01173

v. : Judge Sargus

Charles (Last Name Unknown), owner : Magistrate Judge Abel  
of C&M Towing, Inc., *et al.*,

:

Defendants

:

**ORDER**

This matter is before the Magistrate Judge on defendant C&M Towing's motion to compel compliance with Federal Rules of Civil Procedure 8(b) and 10(b) (doc. 29).

Rule 8(b) of the Federal Rules of Civil Procedure requires that in responding to a pleading, a party must "state in short and plain terms its defenses to each claim asserted against it" and "admit or deny the allegations asserted against it by an opposing party." Fed. R. Civ. P. 8(b)(1)(A) & (B). Here, plaintiff has failed to admit or deny the allegations contained in defendants' counterclaim. Defendants' motion (doc. 29) is GRANTED.

Plaintiff is DIRECTED to file an amended answer to defendants' counterclaim that complies with Rules 8(b) and 10(b) within fourteen (14) days of the date of this Order.

Under the provisions of 28 U.S.C. §636(b)(1)(A), Rule 72(a), Fed. R. Civ. P., and Eastern Division Order No. 91-3, pt. F, 5, either party may, within fourteen (14) days after this Order is filed, file and serve on the opposing party a motion for

reconsideration by the District Judge. The motion must specifically designate the Order, or part thereof, in question and the basis for any objection thereto. The District Judge, upon consideration of the motion, shall set aside any part of this Order found to be clearly erroneous or contrary to law.

s/ Mark R. Abel

United States Magistrate Judge